


01-08-01

A/Box/Seq

PATENT APPLICATION

Continuation-in-Part Application Transmittal  
Under Rule 1.53(b)

Docket Number:  <b>IM-2-C1-C1</b>	Prior Application Serial Number 09/322,409, filed May 28, 1999  Examiner Sumesh Kaushal; Art Unit 1633	PTO Customer No.:   <b>26949</b> <small>PATENT TRADEMARK OFFICE</small>
---	---	--

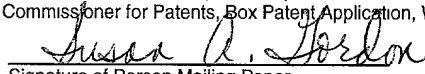
**BOX PATENT APPLICATION**  
**COMMISSIONER FOR PATENTS**  
**WASHINGTON, DC 20231**

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: January 5, 2001 Mailing Label Number: EL344801198US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Susan A. Gordon  
Name of Person Mailing Paper

  
Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a continuation-in-part application under 37 CFR 1.53(b), of pending prior U.S. Patent Application Serial No. 09/322,409, filed May 28, 1999, entitled "entitled Canine and Feline Immunoregulatory Proteins, Nucleic Acid Molecules, and Uses Thereof"; which claims priority to U.S. Provisional Patent Application Serial No. 60/087,306, filed May 29, 1998, entitled "Canine Interleukin-4 and FLT-3 Ligand Proteins, Nucleic Acid Molecule and Uses Thereof".

**TITLE: "CANINE AND FELINE IMMUNOREGULATORY PROTEINS, NUCLEIC ACID MOLECULES, AND USES THEREOF"**

**INVENTORS:** Shumin Yang, 3353 Alma Street, #250, Palo Alto, CA 94306  
Catherine A. McCall, 709 Pleasant Street, Boulder, Colorado 80302  
Eric R. Weber, 2625 Silver Creek Drive, Fort Collins, Colorado 80525

ENCLOSED ARE:

- ☒ 60 PAGES OF SPECIFICATION, CLAIMS AND ABSTRACT
- ☐ \_\_\_\_\_ SHEETS OF DRAWING ( ☐ FORMAL OR ☐ INFORMAL )
- ☒ DECLARATION FROM PRIORITY CASE SERIAL NO. 09/322,409, FILED 5/28/99
- ☒ POWER OF ATTORNEY
- ☐ ASSIGNMENT OF THE INVENTION TO: [Heska Corporation] (Under separate cover letter)
- ☒ SMALL ENTITY STATEMENT
- ☒ IDENTICAL PAPER AND COMPUTER READABLE FORMS OF THE SEQUENCE LISTING. APPLICANT HEREBY ASSERTS PURSUANT TO 37 CFR §1.821(f) THAT THE CONTENT OF THE PAPER AND COMPUTER READABLE FORMS OF SEQ ID NO:1 THROUGH SEQ ID NO:21 SUBMITTED HERewith ARE IDENTICAL.
- ☐ PRELIMINARY AMENDMENT
- ☐ INFORMATION DISCLOSURE STATEMENT
- ☐ PTO 1449 FORM
- ☐ FOREIGN PRIORITY BENEFITS ARE CLAIMED UNDER 35 USC §119 OF \_\_\_\_\_ (Country) PATENT APPLICATION SERIAL NO. \_\_\_\_\_, FILED \_\_\_\_\_.
- ☐ CERTIFIED COPY OF A \_\_\_\_\_ APPLICATION.

- ☒ FILING FEE IS NOT ENCLOSED AT THIS TIME.
- ☐ ENCLOSED IS A CHECK IN THE AMOUNT OF \$\_\_\_\_\_ TO COVER THE FILING FEE. SEE FOLLOWING PAGE FOR CALCULATION OF FILING FEE.
- ☐ PLEASE CHARGE DEPOSIT ACCOUNT NO 081930 IN THE AMOUNT OF \$\_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.
- ☐ THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES ASSOCIATED WITH THIS COMMUNICATION OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 081930. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.
- ☐ ANY ADDITIONAL FILING FEES REQUIRED UNDER 37 C.F.R. 1.16.
- ☐ ANY PATENT APPLICATION PROCESSING FEES UNDER 37 C.F.R. 1.17.
- ☐ THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES DURING THE PENDENCY OF THIS APPLICATION OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 081930. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.
- ☐ ANY PATENT APPLICATION PROCESSING FEES UNDER 37 C.F.R. 1.17.
- ☐ THE ISSUE FEE SET IN 37 C.F.R. 1.18 AT OR BEFORE MAILING OF THE NOTICE OF ALLOWANCE, PURSUANT TO 37 C.F.R. 1.31(b).
- ☐ ANY FILING FEES UNDER 37 C.F.R. 1.16 FOR PRESENTATION OF EXTRA CLAIMS.

THE FILING FEE HAS BEEN CALCULATED AS SHOW BELOW:

	(COL. 1) NO. FILED				(COL. 2*) NO. EXTRA		SMALL ENTITY			LARGE ENTITY	
							RATE	FEE		RATE	FEE
BASIC FEE:								\$355.00	OR		\$710.00
TOTAL CLAIMS:	18	-	20		0		X \$9 =	\$0.00	OR	X \$18 =	\$
INDEP. CLAIMS:	5	-	3		2		X \$40 =	\$80.00	OR	X \$80 =	\$
MULTIPLE DEPENDENT CLAIMS							+ \$135 =		OR	+\$270 =	\$
*IF THE DIFFERENCE IN COL. 2 IS LESS THAN ZERO, ENTER "0" IN COL. 2.							TOTAL:	\$435.00			\$

- ☒ THE COMMISSIONER IS HEREBY AUTHORIZED TO SUBMIT ALL CORRESPONDENCE RELATING TO THIS CASE TO THE CORRESPONDENCE ADDRESS LISTED BELOW.

By: Sharon N. Klesner

Sharon Nolan Klesner, Ph.D.  
Registration No. 36,335  
Heska Corporation  
1613 Prospect Parkway  
Fort Collins, Colorado 80525  
Telephone: (970) 493-7272  
Facsimile: (970) 491-9976

Dated: January 5, 2001

**CORRESPONDENCE ADDRESS:**

**Heska Corporation  
Intellectual Property Dept.  
1613 Prospect Parkway  
Fort Collins, CO 80525**